IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 24159 of 2000

Between:

1 S.Imran Khan, S/o. Azmathulla Khan
R/o.Nellore, Nellore District.
2 I.Uday Shankar Reddy S/o. Sreenivasulu Reddy
R/o.Nellore, Nellore District.
3 C.V.V.Vijaya Saradhi S/o. C.Veeraiah Chari,
R/o.Nellore, Nellore District.
4 K.Eligibeth D/o. K.Prakasham
R/o.Nellore, Nellore District.
5 T.Nagalakshmi D/o.T.Vijaya
R/o.Nellore, Nellore District.
6 A.Balakrishna S/o.A.T.Krishna Murthi,
R/o.Nellore, Nellore District.
7 S.D.Waheed S/o.S.D.Ghousemohiddin
R/o.Nellore, Nellore District.
8 K.Ram Babu S/o.K.Venkata Krishnaiah
R/o.Nellore, Nellore District.
9 J.Himavathi D/o.J.Venkaiah
R/o.Nellore, Nellore District.
10 V.Arundathi D/o.Ghankuri Krishnaiah
R/o.Nellore, Nellore District.
11 S.Karimulla S/o.S.Mahaboob
R/o.Nellore, Nellore District.
12 Md.Nazim Sharif S/o. M.D.Nayeem Ahmed
R/o.Nellore, Nellore District.
13 D.Praveen S/o. G.Pushpavathi
R/o.Nellore, Nellore District.
14 P.V.Udaya Kumar S/o.P.Suder Rao
R/o.Nellore, Nellore District.
15 V.Mahender S/o. Madhusudan Rao
R/o.Nellore, Nellore District.
16 J.Muralidhar Babu S/o.J.chandramohan Rao,

R/o.Nellore, Nellore District.
17 S.Basheer S/o. S.Kareem
R/o.Nellore, Nellore District.
18 Suresh C/o. Siddartha College
R/o.Nellore, Nellore District.
19 Sujatha C/o. Siddartha College
R/o.Nellore, Nellore District.
20 Jyotsna C/o. Siddartha College
R/o.Nellore, Nellore District.
21 Krishnaveni C/o. Siddartha College
R/o.Nellore, Nellore District.
22 Jyothi C/o. Siddartha College
R/o.Nellore, Nellore District.
23 P.Satyanarayana S/o. Lakshmaiah,
R/o.Nellore, Nellore District.
24 B.Madhusudan Rao S/o. Chiranjeevi
C/o. Rama Academy, Vijayawada.

..... PETITIONERS

AND

1 The Chairman National Open School
Kailash Colony, New Delhi.
2 National Open School Rep by its Secretary,
Kailash Colony New Delhi.
3 The Director National Open School
Kailash Colony, New Delhi.
4 The Regional Director (A.P.& Karnataka), National Open School,
Sreenagar Colony Dilsuknagar, Hyderabad.
5 The Controller of Examinations, National Open School
Kailash Colony, New Delhi.
6 The Director, Siddartha College, Chakaliveedhi,
Nellore.
7 The Director, Rama Academy Governorpet,
Vijayawada, Krishna District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue appropriate Writ, order or direction more particularly in the nature of Writ of Mandamus, declaring the action of the Respondent 1 to 5 in cancelling the petitioner's results of the senior secondary examinations of the National Open School, held in April/May. 2000 in concerned subjects purporting to act as per the recommendations of the Unfair Means Committee as being arbitrary, illegal and violative of Articles 14 & 21 of the constitution of India and issue a Consequential direction to the respondents 1 to 5 forthwith to release the petitioner's results without reference to the recommendation of the Unfair Means Committee.

Counsel for the Petitioners: None.

Counsel for the Respondent Nos.1 to 7: Mr. A. Ramalingeswara Rao, SC for National Open School

The Court made the following :

O R D E R:

Sri T.Gopala Krishna Murthy, learned counsel who was appearing for the petitioners died and therefore, this Court by order, dated 19.12.2002 directed to issue notice to the petitioners, returnable in four weeks. Accordingly, the office sent notices to the petitioners on 05.10.2004 and the said notices were returned un-served with the postal endorsement that the addresses were in-sufficient and some of the petitioners left without instructions. It is seen from the record that though the learned counsel died long back in the year 2002, the petitioners have not chosen to make any alternative arrangements and even the notices could not be served on them. The relief sought for in the writ petition is to declare the action of respondents 1 to 5 in cancelling the results of the Senior Secondary Examinations conducted in the month of April/May-2001 as arbitrary and illegal. It appears that by afflux of time, the petitioners are not interested in prosecuting the writ petition.

The writ petition is accordingly dismissed for non-prosecution. No costs.

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G.ROHINI.J.,

Dt.21.12.204

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ASSISTANT REGISTRAR

To

1 The Chairman, National Open School
Kailash Colony, New Delhi.
2 Secretary, National Open School,
Kailash Colony New Delhi.
3 The Director National Open School
Kailash Colony, New Delhi.
4 The Regional Director (A.P.& Karnataka), National Open School,
Sreenagar Colony Dilsuknagar, Hyderabad.
5 The Controller of Examinations, National Open School
Kailash Colony, New Delhi.
6 The Director, Siddartha College, Chakaliveedhi,
Nellore.
7 The Director, Rama Academy Governorpet,
Vijayawada, Krishna District.

8 2CCs to the G.P. for School Education.

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